

Message Text

LIMITED OFFICIAL USE

PAGE 01 USUN N 00933 201709Z

64

ACTION IO-14

INFO OCT-01 ISO-00 AF-10 ARA-16 EA-11 EUR-25 NEA-10 RSC-01

CIAE-00 DODE-00 PM-07 H-03 INR-10 L-03 NSAE-00 NSC-07

PA-04 PRS-01 SPC-03 SS-20 USIA-15 OIC-04 ACDA-19

DRC-01 /185 W

----- 025295

R 201501Z MAR 74

FM USMISSION USUN NY

TO SECSTATE WASHDC 3154

LIMITED OFFICIAL USE USUN 0933

E.O. 11652: N/A

TAGS: UN PFOR

SUBJ: DEFINITION OF AGGRESSION

1. CONTACT GROUP II CONTINUED CONSIDERATION OF ART 3 DURING MORNING 19 MAR. AFTER SOME DISCUSSION, INDONESIAN DEL AGREED FOR TIME BEING TO WITHDRAW HIS PROPOSAL TO DELETE "MARINE AND AIR FLEETS" FROM PARA (D) IF RECORD CLEARLY SHOWED UNDERSTANDING THAT SUCH LANGUAGE WOULD NOT REQUIRE DETERMINATION OF AGGRESSION FOR ISOLATED INCIDENTS RE FOREIGN VESSELS PRESENT TEXT OF PARA (E) ACCEPTED WITHOUT CHANGE.

2. USSR PROPOSED DELETION OF PARA (F) ALTOGETHER. ITALY, SPAIN, FRANCE AND UK URGED RETENTION OF PARA, BUT PROPOSED DRAFTING CHANGES TO SHORTEN OR CLARIFY PARA. ITALY PROPOSED DELETION OF LAST 8 WORDS; UK PROPOSED THAT LAST 8 WORDS BE MOVED TO SECOND LINE. LANGUAGE OF PARA WILL BE CONSIDERED FURTHER AT LATER POINT.

3. EXTENDED DISCUSSION OF PARA (G) OCCURRED. UK, SUPPORTED BY US, ARGUED THAT PARA TOO NARROW IN SCOPE AND PROPOSED THAT REFERENCE TO "ORGANIZING", "SUPPORTING",
LIMITED OFFICIAL USE

LIMITED OFFICIAL USE

PAGE 02 USUN N 00933 201709Z

"ASSISTING" AND "ACQUIESCING" BE ADDED. GUYANA AND

INDONESIA PROPOSED ADDITION OF "ORGANIZING OR SUPPORTING"; SPAIN AND TURKEY SUPPORTED THIS PROPOSAL, BUT USSR, EGYPT, FRANCE, GHANA, BULGARIA AND MADAGASCAR OPPOSED EXPANSION OF THE PARA, AND GUYANA/INDONESIA PROPOSAL WITHDRAWN. FURTHER CONSIDERATION OF PARA DEFERRED UNTIL LATER STAGE.

4. ART 4 TAKEN UP IN AFTERNOON. UK PROPOSED THAT PROBLEM OF MINIMAL ACTS BE HANDLED BY ADDING "OR THE FACT THAT THE ACTS CONCERNED MAY NOT BE OF SUFFICIENT GRAVITY" TO ART 2; AND THAT ART 4 THEN BE SIMPLIFIED TO READ "THE ACTS ENUMERATED ABOVE ARE NOT EXHAUSTIVE AND THE SECURITY COUNCIL MAY DETERMINE THAT OTHER ACTS CONSTITUTE AGGRESSION UNDER THE PROVISIONS OF THE CHARTER." BASIC IDEA OF UK PROPOSAL MET WIDE APPROVAL, WITH SOME DELS EXPRESSING PREFERENCE FOR VARIATIONS IN DRAFTING. IN ADDITION, IRAQ AND FINLAND PROPOSED THAT ART 4 COULD BE DELETED ENTIRELY WITH UK-TYPE ADDITION TO ART 2, AND ADDITION OF "INTER ALIA" OR SIMILAR PHRASE TO BEGINNING OF ART 3. ROMANIA PROPOSED THAT REFERENCE TO CONSEQUENCES OF ACTS BE ADDED TO ART 4 OR ART 2 AS ADDITIONAL CRITERION FOR SECURITY COUNCIL CONSIDERATION. GUYANA PROPOSED THAT LANGUAGE BE ADDED TO LAST SENTENCE OF ART 4 TO APPLY IT ONLY TO ACTS SIMILAR TO THOSE LISTED; UK OPPOSED THIS. DRAFTING GROUP WILL BE FORMED TO WORK OUT POSSIBLE LANGUAGE CHANGES TO ARTS 2, 3 AND 4 TO ACCOMMODATE VARIOUS PROPOSALS.

5. CONTACT GROUP OPENED CONSIDERATION OF ART. 5. UK, FRANCE AND US PROPOSED THAT ART BE REDRAFTED IN FORM OF SIMPLE SAVINGS CLAUSE, AND NOT ATTEMPT TO ELABORATE NEW DEFINITION OF RIGHTS OF SELF-DETERMINATION. EGYPT AND GHANA ARGUED THAT SIMPLE SAVINGS CLAUSE NOT ENOUGH IN VIEW OF ART 3(G). GUYANA PROPOSED, AS POSSIBLE COMPROMISE, ADDITION OF "FORCIBLY DEPRIVED OF THEIR RIGHT" BEFORE "SELF-DETERMINATION" IN LINE 2, AND "IMPOSED BY FORCE" AFTER "FOREIGN DOMINATION" IN LINE 3. CONSIDERATION OF ART WILL RESUME 20 MAR. COMMENT: GUYANA PROPOSAL IS HELPFUL STEP IN DIRECTION FRIENDLY RELATIONS DECL APPROACH AND WE HAVE PRIVATELY URGED HIM TO CONTINUE FURTHER IN THAT DIRECTION.

LIMITED OFFICIAL USE

LIMITED OFFICIAL USE

PAGE 03 USUN N 00933 201709Z

BENNETT

LIMITED OFFICIAL USE

NNN

Message Attributes

Automatic Decaptioning: X
Capture Date: 01 JAN 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: AGREEMENT DRAFT, MEETINGS
Control Number: n/a
Copy: SINGLE
Draft Date: 20 MAR 1974
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Authority: morefirh
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 28 MAY 2004
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1974USUNN00933
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: N/A
Errors: N/A
Film Number: D740059-0209
From: USUN NEW YORK
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1974/newtext/t19740327/aaaaazvh.tel
Line Count: 108
Locator: TEXT ON-LINE, ON MICROFILM
Office: ACTION IO
Original Classification: LIMITED OFFICIAL USE
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 2
Previous Channel Indicators:
Previous Classification: LIMITED OFFICIAL USE
Previous Handling Restrictions: n/a
Reference: n/a
Review Action: RELEASED, APPROVED
Review Authority: morefirh
Review Comment: n/a
Review Content Flags:
Review Date: 28 JUN 2002
Review Event:
Review Exemptions: n/a
Review History: RELEASED <28 JUN 2002 by boyleja>; APPROVED <02 JUL 2002 by morefirh>
Review Markings:

Declassified/Released
US Department of State
EO Systematic Review
30 JUN 2005

Review Media Identifier:
Review Referrals: n/a
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
Secure: OPEN
Status: NATIVE
Subject: DEFINITION OF AGGRESSION
TAGS: PFOR, UN
To: STATE
Type: TE
Markings: Declassified/Released US Department of State EO Systematic Review 30 JUN 2005